# INDIANA GAMING COMMISSION BUSINESS MEETING

10:00 a.m., April 7, 2003 115 W. Washington St., Ste. 950 South Indianapolis, Indiana 46204-3408

<u>Present:</u> Commission Members: Donald R. Vowels, Chair; Ann Bochnowski, Vice-Chair; Thomas Milcarek, Secretary; Dale Gettelfinger, and Marya Rose. Dr. David Ross and David Carlton were not present. Staff: Glenn R. Lawrence, Cynthia L. Dean, Billy Hamilton, Jennifer Arnold, Jennifer Chelf, Susan Brodnan, Michelle Marsden, Rhonda Dalton, Major Mark Mason, and members of the public.

#### Call to Order and Roll Call

Chairman Donald Vowels called the meeting to order at approximately 10:04 a.m. local time. A quorum was present.

#### **Approval of the Minutes**

Upon motion by Thomas Milcarek, second by Marya Rose, and unanimous vote of those present, the minutes of the January 10, 2003, business meeting were unanimously approved.

## Report of the Executive Director

### Waiver of Rules and Regulations

Argosy Casino submitted a request for waiver of 68 IAC 2-6-15 which would allow for the token acceptors to be removed from the electronic gaming devices. Gaming Laboratories International has reviewed the technical requirements and determined the tickets used by the "TITO" system are electronic cards. The Executive Director approved the request.

Harrah's submitted a request for a waiver of 68 IAC 14-6-2 (3) which would allow Harrah's East Chicago to offer two 6-spot Blackjack tables in the high stakes game room. Harrah's also submitted a request for a waiver which would eliminate the need for security escorts of payouts less than two hundred dollars. These requests were approved by the Executive Director.

# **New Business**

### **Legislative Update**

Jennifer Arnold provided an update on gaming bills currently before the legislature. A bill that would allow gaming in Orange County has passed the House. The legislation has made its way through Committee and the full Senate is scheduled to vote on the bill. The bill is expected to pass the Senate and could be sent to the Governor for signature as early as the week of April 14th. This bill would allow the Indiana Gaming Commission to enter into a contract with an operating agent for the operation of a casino in Orange County. The legislation specifies that the Indiana Gaming Commission and the historic preservation district created by the bill would jointly choose the location of the casino and will decide on the exterior façade of the facility. The contract will last twenty years. The process employed by the Indiana Gaming Commission in choosing an applicant in the past will change slightly.

Several gaming issues are pending in the general assembly. One is a measure that would allow an operator to own up to two licenses. The other would change the date of the Commissions' Annual Report from March 1<sup>st</sup> to September 1<sup>st</sup>. This will allow the Indiana Gaming Commission to report on a fiscal year basis rather than a calendar year basis. There was a bill which would have given the Indiana Gaming Commission its own law enforcement agency. The riverboats would have continued to pay the cost of law enforcement on the boats and the investigators housed in Indianapolis.

There is a provision pending that would impose a 6% tax on the transfer of casino ownership.

The Commissions' administrative bill which contained a program for problem gamblers died in the Senate. Since the bill passed one house, it remains eligible for conference committee. The Commission is prepared to look at alternative ways of addressing this issue in the event the legislation does not pass.

### Resolution 2003-13

A Resolution Granting The Executive Director The Authority to Renew Riverboat Owner's Licenses.

<u>Action:</u> Upon motion by Ann Bochnowski, second by Dale Gettelfinger, and unanimous vote of those present, the Commission delegated the authority to the Executive Director to renew a Riverboat Owner's License until the Commission is able to hold a meeting and consider the renewal request. The authority pertains to the one year license renewals only.

# **New Game Approval**

### Resolution 2003-14

BET Technology, Inc. submitted the game of Fortune Pai Gow Poker for approval for play on Indiana riverboats. Gaming Laboratories International, Inc. ("GLI") reviewed the information and material submitted and found that the game of Fortune Pai Gow Poker to be a variation of the traditional game of Poker. BET Technology received conditional approval of the game for a period of six (6) months, pursuant to Resolution 2002-18, which was adopted by the Commission on July 29, 2002. Majestic Star Casino ("Majestic Star") sponsored Fortune Pai Gow Poker by introducing Fortune Pai Gow Poker to its casino floor following the conditional approval. Majestic Star currently has three (3) Fortune Pai Gow Poker tables. Majestic Star has indicated in writing that it wishes to continue offering the game of Fortune Pai Gow Poker.

<u>Action:</u> Upon motion by Dale Gettelfinger, second by Ann Bochnowski, and unanimous vote of those present, the Commission approved the game of Fortune Pai Gow Poker for use on Indiana riverboats. All riverboats who offer the game of Fortune Pai Gow Poker must have preapproved rules of the game and layout schematics.

# **Occupational License Matters**

# Request for a Gambling Misdemeanor Waiver Michael Scelsi HA-MG-03-1

On or about March 25, 1997, Michael Scelsi applied for an occupational license, level 2, to work as a dealer at Showboat Casino (now known as Harrah's Casino). Mr. Scelsi failed to

accurately disclose his criminal history on his application. As a result, Mr. Scelsi was issued a temporary occupational license. Commission staff obtained documentation that he was convicted of misdemeanor gambling and was placed under court supervision which he successfully completed. The Indiana Gaming Commission notified Mr. Scelsi that because of his conviction he would be required to complete the misdemeanor gambling waiver process. Mr. Scelsi applied for a waiver of this conviction. Susan Brodnan, Staff Attorney for the Commission having previously been appointed as a review officer for such matters by Glenn R. Lawrence, Executive Director of the Commission, on November 22, 2002. On January 23, 2003, a hearing was held on the property of Harrah's Casino to consider Mr. Scelsi's request for a misdemeanor gambling waiver. Mr. Scelsi was present, pro se. It is the opinion of the review officer that Mr. Scelsi does not pose a threat to the integrity of gaming in the state of Indiana.

<u>Action:</u> Upon motion by Dale Gettelfinger, second by Thomas Milcarek, and unanimous vote of those present, the Commission adopted the recommendation of the review officer and approved Mr. Scelsi's request for a gambling misdemeanor waiver.

## **Occupational License Matters**

# Chonda Hicks TR-DEN-03-1

Chonda Hicks applied for an occupational license, level 2, for employment as a Cage Cashier at Trump Casino. On or about March 21, 2002, the Commission issued Ms. Hicks a temporary occupational license. Ms. Hicks failed to accurately disclose her criminal history on her application for an occupational license. Commission staff requested, in writing, an explanation of Ms. Hicks' failure to disclosure. Ms. Hick's did not respond to this request. Commission staff revoked Ms. Hicks' temporary occupational license and denied her application for a permanent license on or about January 21, 2003 and formally advised Ms. Hicks of this action.

<u>Action:</u> Upon motion by Ann Bochnowski, second by Marya Rose, and unanimous vote of those present, the Commission denied the application for an occupational license, level 2, submitted by Chonda Hicks. Pursuant to IC 4-21.5-3-6, the Order will become effective fifteen (15) days after it is served.

# Jimmy Garza BT-DEN-03-1

Jimmy Garza applied for an occupational license, level 3, for employment as a Steward at Belterra Casino and was issued a temporary occupational license on or about March 20, 2002. Mr. Garza failed to accurately disclose his criminal history on his application for an occupational license. Commission staff requested court documentation from Mr. Garza. Mr. Garza failed to comply with this request. Commission staff revoked Mr. Garza's temporary occupational license and denied his application for a permanent license and formally advised Mr. Garza of this action on March 4, 2003.

<u>Action:</u> Upon motion by Thomas Milcarek, second by Ann Bochnowski, and unanimous vote of those present, the Commission denied the application for an occupational license, level 3 submitted by Mr. Jimmy Garza. Pursuant to IC 4-21.5-3-6, the Order will become effective fifteen (15) days after it is served.

# Michael Padon BT-DEN-02-4

Michael Padon applied for and received an occupational license, level 2, to work as a dealer at Caesars Indiana. The Commission issued Mr. Padon a permanent occupational license, level 2, on or about June 5, 2001. Caesars Indiana terminated Mr. Padons' employment on or about September 2, 2002, because Caesars had become aware that he had generated a false player rating card in order to provide compensation benefit to a patron who had not earned it. Mr. Padon then applied for an occupational license on or about October 23, 2002, to work for Belterra Casino.

Because of Mr. Padons' actions while licensed to work for Caesars, the Commission staff denied his application for an occupational license to work for Belterra. This decision was affirmed by the Commission on November 15, 2002. On or about December 16, 2002, Mr. Padon appealed the Commission's decision denying his application for an occupational license through his attorney Mr. Larry Wilder.

The matter was forwarded to Bernard L. Pylitt, who was previously appointed to serve as an Administrative Law Judge ("ALJ"). The ALJ presided over the matter throughout a pre-hearing conference. Pending Commission approval, Executive Director Glenn Lawrence and Mr. Michael Padon have signed a settlement agreement which would allow Mr. Padon to receive a temporary occupational license in a probationary status for a period of one (1) year beginning on the date he is issued a temporary occupational license. Any future violations committed by Mr. Padon will subject his license to additional Commission action, including, but not limited to suspension, probation, revocation, or formal disciplinary action.

<u>Action:</u> Upon motion by Thomas Milcarek, second by Ann Bochnowski, and unanimous vote of those present, the Commission approved the proposed terms of the settlement agreement.

# Mary Beth Tyler 03-OL-HH-1

On or about August 25, 1997 Commission staff issued a temporary occupational license, level 2 to Mary Beth Tyler to work at Horseshoe Casino as a Dealer. Commission staff issued a permanent occupational license to Ms. Tyler on April 16, 1999. On May 8, 2002, Ms. Tyler was arrested at Horseshoe due to an active arrest warrant for a misdemeanor charge. Ms. Tyler had not disclosed this arrest to the Commission. Commission staff sent Ms. Tyler numerous letters requesting court documentation regarding these charges. Ms. Tyler sent part of the requested information in September 2002 and indicated she would forward the remaining information to the Commission. Indiana gaming regulations require that an occupational licensee notify the Commission of any changes in the information submitted in the application which could render the licensee ineligible to hold an occupational license. The Commission did not receive the remaining information.

On or about January 3, 2003, Commission staff initiated a disciplinary action against Ms. Tyler because of her failure to update the Commission regarding her criminal history and her failure to respond to repeated requests for information. Ms. Tyler submitted the remaining information January 28, 2003. Pending Commission approval, Commission staff and Ms. Tyler agree to enter into a Settlement Agreement. Pursuant to the Settlement Agreement, Ms. Tyler would agree to a 5-day suspension of her occupational license. She also would agree to submit court documentation showing the resolution of her pending charge. She would further agree to notify the Commission of future criminal charges and comply with future requests for information.

<u>Action:</u> Upon motion by Ann Bochnowski, second by Marya Rose, and unanimous vote of those present, the Commission approved the proposed terms of the settlement agreement.

# **Suppliers' License Matters**

#### Resolution 2003-15

Resolution concerning the renewal of Suppliers' License for Anchor Coin, Inc., A.C.Coin, Bally Gaming, Inc., GameCash, Inc. Dallmann Systems, Inc., and WMS Gaming, Inc. Derek Harmer, WMS Corporate Counsel and Lisa DeJesus, WMS Director of Compliance were present.

<u>Action:</u> Upon motion by Dale Gettelfinger, second by Thomas Milcarek, and unanimous vote of those present, the Commission granted the renewal of the Suppliers' Licenses issued to Anchor Coin, Inc., A.C. Coin; Bally Gaming Inc., GameCash, Inc., Dallmann Systems, Inc., and WMS Gaming, Inc., on the condition that any outstanding background fees are paid as directed by the Commission staff. The renewed Supplier's Licenses will be valid for a period of one (1) year from the date of issuance.

### Resolution 2003-16

A Resolution Concerning The Request Of Osborne Coinage Company For Approval To Transfer An Ownership Interest And A Request That The Commission Waive The Transfer Of Ownership Rules. Pursuant to Resolution 1997-32 Osborne Coinage Company ("Osborne") received a permanent Supplier's License from the Commission on August 19, 1997.

Osborne notified the Commission, by letter dated January 6, 2003, that President Thomas Stegman transferred five shares of Osborne stock to Jeffrey Stegman and five shares of Osborne stock to Todd Stegman. At the time of the transfer, Thomas Stegman, Jeffrey Stegman, and Todd Stegman were shareholders, officers, and directors of Osborne. Thomas, Jeffrey, and Todd Stegman each submitted a Personal Disclosure Form 1 to the Commission in January 1995. All were subject to a background investigation for their present employment positions and their ownership interest in Osborne and were approved by the Commission. No new key persons or substantial owners are being introduced as a result of this change in ownership. Osborne has requested that the Commissioner waive the normal transfer of ownership procedures and background investigations.

<u>Action</u> Upon motion by Ann Bochnowski, second by Marya Rose, and unanimous vote of those present, the Commission granted Osborne's request for a waiver of the normal transfer or ownership procedures and attendant background investigations.

<u>Action:</u> Upon motion by Marya Rose, second by Ann Bochnowski, and unanimous vote of those present, the Commission granted Osborne's request for approval of the resulting transfer of ownership interests of five shares each to Jeffrey Stegman and Todd Stegman, resulting in an ownership interest of 34.5% for each Jeffery Stegman and Todd Stegman, and the remaining 31.0% held by Thomas Stegman.

### **Financing Matters**

# **Boyd Gaming**

Pursuant to Resolution 2003-2 the Commission granted the Executive Director the ability to grant a waiver prior to presentation to the Commission concerning debt transactions upon discussion of the matter between the Executive Director, the Chairperson, and the CPA member of the Commission. On February 25, 2003, a waiver was granted, using this procedure, to Boyd Gaming concerning an affiliate, California Hotel and Casino. California Hotel and Casino was

asked to enter into a loan agreement for the amount of \$16 million for the purchase of a corporate airplane. The debt was at 5.7 percent, fixed rate, and the initial term is 20 months. It does not provide any type of security to the Indiana property and the only security for the loan is the corporate jet.

#### Resolution 2003-17

A Resolution Concerning Financing By Harrah's Operating Company, Inc. Appearing on behalf of Harrah's was Ms. Kay Fleming, Ice Miller; and Mr. Tom Evans. By letter dated March 25, 2003, Harrah's requested approval to replace existing credit facilities consisting of a 364 day revolving loan and a five year term loan, with a combined total debt capacity of \$1,857,000,000. Harrah's also requests approval to replace the bank credit facilities with a senior credit facility of up to \$1,800,000,000, consisting of a 50% revolving credit facility and a 50% term loan. The new credit facility will have a variable interest rate and a five year maturity date. If conditions are favorable, Harrah's may increase the facility to a total of \$2,000,000,000, with any amount over \$1,800,000,000 resulting in an increase in the revolving credit facility rather than the term loan. Harrah's also requests a waiver of 68 IAC 5-3-2(b)(3), the two (2) meeting rule.

<u>Action:</u> Upon motion by Dale Gettelfinger, second by Marya Rose, and unanimous vote of those present, the Commission approved Harrah's request for a waiver of 68 IAC 5-3-2(b)(3), the two (2) meeting rule.

<u>Action:</u> Upon motion by Dale Gettelfinger, second by Ann Bochnowski, and unanimous vote of those present, the Commission approved the request for Harrah's \$2,000,000,000 credit facility subject to review and approval of the final draft and associated documents by the Commission staff.

#### Resolution 2003-18

A Resolution Granting A Supplier's License To Sierra Design Group.

<u>Action:</u> Upon motion by Thomas Milcarek, second by Ann Bochnowski, and unanimous vote of those present, the Commission granted a Supplier's License to Sierra Design Group. The Supplier's License will be valid for a period of one (1) year, from April 7, 2003 through April 6, 2004.

#### Resolution 2003-19

Greg Hahn, local counsel, and Robert Pickus, General Counsel, Cathy Walker and Chris Leininger, appeared on behalf of Trump, Indiana. Ms. Walker has transferred to the Trump Atlantic City Properties and introduced Mr. Chris Leininger as the new general manager at Trump Indiana. Trump Indiana, Inc. ("Trump") requested, by letter dated March 24, 2003, approval of a \$5,000,000 credit facility in the form of a twenty-four month term loan. The loan will have a 4.25% fixed interest rate. Trump also requests a waiver of 68 IAC 5-3-2(b)(3), the two (2) meeting rule.

<u>Action:</u> Upon motion by Marya Rose, second by Thomas Milcarek, and unanimous vote of those present the Commission approved the request for a waiver of 68 IAC 5-3-2(b)(3), the two (2) meeting rule.

<u>Action:</u> Upon motion by Marya Rose, second by Dale Gettelfinger, and unanimous vote of those present, the Commission approved Trump Indiana's request for an acquisition of a loan in the amount of \$5,000,000 pending review and approval of the terms of the final draft and associated documents by the Commission staff.

#### **Consideration of License Renewal**

# **Showboat Marina Casino Partnership (Harrah's)**

In a letter dated February 20, 2003 from Luther Anderson, Vice President Legal Affairs— Harrah's Eastern Division, SMCP made a request for renewal of its Riverboat Owner's License. SMCP has submitted payment of the annual renewal fee in the amount of five thousand dollars (\$5,000). An investigation will not be conducted in the first and second years for a licensee who is not in a reinvestigation phase. Staff recommends that the Commission grant the renewal of the Riverboat Owner's License SCMP for the period April 15, 2003 to April 14, 2004.

<u>Action:</u> Upon motion by Ann Bochnowski, second by Thomas Milcarek, and unanimous vote of those present, the Commission granted the renewal of SMCP's Riverboat Owner's License for a period of one year subject to continued compliance with Indiana Code 4-33, Title 68 of the Indiana Administrative Code, and the conditions directed by the Commission on May 13, 2002. The renewal of the Riverboat Owner's License shall be valid for a period of one year from April 15, 2003 to April 14, 2004.

# **Disciplinary Action**

# Majestic Star Casino, LLC Complaint No. 03-MS-1

David Wolfe, General Manager appeared on behalf of Majestic Star. Commission staff was informed of two incidents regarding Majestic Star's failure to notify Commission agents of changes in the status of employees. The first incident involved an employee whose occupational license expired while the employee was on medical leave. Commission agents were not notified that the employee returned from medical leave, and worked one shift with an expired occupational license. The second incident involved an employee who was on family medical leave and was terminated for exhausting her allowed leave time. The employee subsequently returned to work without notification of this status change to Commission agents. On or about January 16, 2003, Majestic Star submitted correspondence to Commission staff indicating that Majestic Star will implement revised human resource procedures regarding paperwork to prevent future violations. Pending Commission approval Executive Director Lawrence and David Wolfe, General Manager have signed a settlement agreement where Majestic Star agrees to pay a fine in the amount of \$1,500.

<u>Action:</u> Upon motion by Dale Gettelfinger, second by Ann Bochnowski, and unanimous vote of those present, the Commission approved the proposed terms of the settlement agreement.

### Minority Business Enterprise/Women's Business Enterprise

### **Majestic Star**

On December 6, 2001, the Indiana Gaming Commission approved an MBE/WBE Compliance Plan submitted by the Majestic Star Casino, LLC. The plan was submitted in response to the discovery that Majestic Star had been incorrectly reporting expenditures made with minority and women owned businesses. As a result, Majestic Star revised its 2000 MBE/WBE report, which showed that Majestic Star fell short of satisfying the statutory goal for MBE participation by \$644,000. Majestic Star agreed to make up this shortfall in the 2002 reporting year. The Commission also ordered a Majestic Star representative to appear at all Commission meetings

through January 2003 to report on its MBE/WBE progress. Majestic Star was also required to submit a written update to the Commission prior to each meeting.

Majestic Star's MBE/WBE report for 2002 was submitted in January 2003. Preliminary review of the report shows that Majestic Star satisfied the statutory MBE/WBE goals for the year 2002. Majestic Star made up the \$644,000 shortfall experienced in 2000.

<u>Action:</u> Upon motion by Marya Rose, second by Thomas Milcarek, and unanimous vote of those present, the Commission released Majestic Star from its obligation to appear at all Commission meetings and submit written progress reports prior to each meeting. The Commission reserves the right to take further disciplinary action regarding Majestic Star's MBE/WBE participation if further review of Majestic Star's 2002 report uncovers reporting errors.

## **Trump Indiana**

On December 6, 2001, the Indiana Gaming Commission approved an MBE/WBE Development Action Plan submitted by Trump Indiana, Inc. submitted in response to the discovery that Trump had been incorrectly reporting expenditures made with minority and women owned businesses. As a result, Trump revised its 2000 MBE/WBE report, which showed that Trump still satisfied the statutory goals for MBE/WBE participation. The Action Plan was submitted to strengthen Trump's participation in this area. On December 6, 2001, the Commission also ordered a Trump representative to appear at all Commission meetings through January 2003 to report on its MBE/WBE progress. Trump was also required to submit a written update to the Commission prior to each meeting.

Trump's MBE/WBE report for 2002 was submitted in February 2003. A Preliminary review of the report shows that Trump satisfied the statutory MBE/WBE goals for the year 2002.

<u>Action:</u> Upon motion by Ann Bochnowski, second by Thomas Milcarek, and unanimous vote of those present, the Commission released Trump Indiana from its obligation to appear at all Commission meetings and submit written progress reports prior to each meeting. The Commission reserved the right to take further disciplinary action regarding Trump's MBE/WBE participation if further review of Trump's 2002 report uncovers reporting errors.

### Argosy MBE/WBE

Larry Kinser, General Manager; and Bill Harvey, Director of Facility Operations appeared on behalf of Argosy Casino. Argosy submitted their MBE/WBE report for 2002 in January 2003. A preliminary review of the report shows that Argosy spent 4.75 percent for WBE purchases instead of the required five percent. The shortfall amount is approximately \$169,000. Argosy explained the shortfall was due to an unusually low amount of WBE purchases in the first quarter of 2002. An unusual situation occurred during the first quarter of 2002 in which a vendor was disallowed as a WBE. Argosy added 7 new WBE's vendors to their vendor list which allowed them to recoup two percentage points and enabled Argosy to reach 4.75 percent by the end of 2002. Three additional vendors were added at the end of the year. Argosy does not anticipate a problem with meeting WBE goals in 2003.

#### Belterra MBE/WBE

Ron Gifford, Baker and Daniels, local counsel; Alain Uboldi, General Manager; Gwen Smith, MBE/WBE Business Development Coordinator appeared on behalf of Belterra Casino and

Resort. In December 2001 the Commission approved an action plan submitted by Belterra. The Action Plan included a provision which required the creation of a development fund where they would give money to vendors. Also included in the Action Plan is a provision that allows Belterra to request approval to count that money from the fund towards their numbers for their statutory goals. Belterra has submitted a request to count the \$150,000 that was given to T.J.'s as an appropriate expenditure under the development fund. The provision in the Action Plan states that if Belterra has demonstrated substantial improvement they can count the \$150,000 if the request is approved by the Commission. As outlined in the action plan, if the \$150,000 expenditure is approved by the Commission, then those numbers would count toward Belterra's goals under the statute. The money was given to TJ Foods to purchase a truck/tractor which would allow them to deliver goods to other riverboats. This was approved by the Belterra Advisory Committee and is not reflected in Belterra's percentages.

Belterra has exceeded the 2002 MBE/WBE statutory goals.

<u>Action:</u> Upon motion by Ann Bochnowski, second by Marya Rose, and unanimous vote of those present, the Commission approved Belterra's request to count the \$150,000 that was given to T.J.'s as an appropriate expenditure under the development fund.

# Rising Sun/Hyatt Gaming, LLC Presentation

Ms. Kay Fleming, Ice Miller; and Monte Denbo appeared on behalf of the City of Rising Sun. Mr. Dan Azark, International Gaming Services; Mr. Richard Schulze, Hyatt Gaming; and Mr. Philip Kayman, Neal Gerber & Eisenberg appeared on behalf of Grand Victoria Casino.

On December 6, 2001, the Indiana Gaming Commission approved the renewal of Grand Victoria's Riverboat Owner's License with the condition that the City of Rising Sun and Hyatt Gaming, LLC negotiate a third amendment to the project agreement with a replacement formula that would have the same economic impact that the admission based formula has had over the life of the project. The parties have reached an impasse and have agreed to mediation. However, they have not been able to agree on a mediator. The Commission proposed, and the parties agreed, that the parties will attempt to choose a mediator by April 17<sup>th</sup>. If the parties are unable to agree upon a mediator, they will advise the Executive Director. Within a ten day period of April 17<sup>th</sup> the Executive Director will submit three names to the parties. Each party will be allowed one strike.

# **Pokagon Presentation**

Dan Witte, of Sommer Barnard Ackerson, appeared on behalf of the Pokagon Band of Native Americans. His appearance before the Commission is to follow-up on the September 2002 appearance by Joe Champion. John Miller, tribal chairman of the Pokagon Band was unable to attend due to inclement weather.

In September 2002, Joe Champion of Sommer Barnard Ackerson appeared before the Commission and requested an investigation of the consulting agreement between the Flynns, Field Street Consulting, and Boyd Gaming. Counsel for the Pokagons has been monitoring activities in Illinois and Michigan and requested public documents. Packets of these materials were submitted to Commission staff who then forwarded the documents to the Commissioners.

The Commission confirmed there is an ongoing investigation, with multiple jurisdictions involved.

# **Next Meeting**

The next meeting of the Indiana Gaming Commission will be July 11, 2003 at 10:00 a.m. in the offices of the Indiana Gaming Commission at 115 W. Washington St., Ste. 950 S., Indianapolis, IN.

# Adjournment

Upon motion by Marya Rose, second by Ann Bochnowski, and unanimous vote of those present, the meeting was adjourned.

# <u>Minutes</u>

Baynes & Shirey Reporting Services transcribed the April 7, 2003, Business Meeting. Consequently, the transcript is the complete record of the meeting. Anyone wishing to see the transcript can review it in the Commission office or obtain a copy of the transcript from Baynes & Shirey, One Indiana Square #2525, Indianapolis, IN 46204 (317) 231-9003.

Rhonda K. Dalton, Executive Secretary of the Indiana Gaming Commission Staff, prepared these minutes.

Respectfully submitted,

Rhonda K. Dalton (FACSIMILE)
Rhonda K. Dalton

THE INDIANA GAMING COMMISSION:

<u>Donald R. Vowels</u> (FACSIMILE)
Donald Vowels, Chair

Thomas Wilcarek (FACSIMILE) Thomas Milcarek, Secretary

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